



March 20, 2009

ENGROSSED HOUSE BILL No. 1258

DIGEST OF HB 1258 (Updated March 18, 2009 3:17 pm - DI 87)

Citations Affected: IC 9-13; IC 9-18.

Synopsis: Parking with former prisoner of war or disabled veteran plates. Provides that a person issued a former prisoner of war license plate may not be charged: (1) a fee for parking the vehicle displaying the license plate in a metered space; or (2) a penalty for parking the vehicle displaying the license plate in a metered space for longer than the time permitted. Amends a similar provision relating to parking with disabled veteran plates to make the statutes consistent.

Effective: July 1, 2009.

Riecken, Tyler, Tincher, McClain

(SENATE SPONSORS — ERRINGTON, YOUNG R MICHAEL, DELPH,
ARNOLD, RANDOLPH, BOOTS, HOLDMAN)

January 13, 2009, read first time and referred to Committee on Local Government.
February 5, 2009, amended, reported — Do Pass.
February 9, 2009, read second time, ordered engrossed. Engrossed.
February 12, 2009, read third time, passed. Yeas 90, nays 0.

SENATE ACTION

February 19, 2009, read first time and referred to Committee on Local Government.
March 19, 2009, reported favorably — Do Pass.

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EH 1258—LS 6977/DI 103+



March 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1258

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-102.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: **Sec. 102.3. "Metered space", for**
4 **purposes of IC 9-18-17 and IC 9-18-18, means a public parking**
5 **space at which parking is regulated by:**

6 (1) a parking meter; or

7 (2) an official traffic control device that imposes a maximum
8 parking time for the public parking space.

9 The term does not include parking spaces or areas regulated under
10 IC 9-21-18.

11 SECTION 2. IC 9-18-17-4 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2009]: **Sec. 4. (a) A person who has been issued under this**
14 **chapter a license plate designating the person's motor vehicle as**
15 **being owned or leased by a former prisoner of war may not be:**

16 (1) charged a fee for parking the motor vehicle displaying the
17 license plate in a metered space; or

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(2) assessed a penalty for parking the motor vehicle displaying the license plate in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a motor vehicle in a parking place during a time when parking in the space is prohibited if the prohibition is:

(1) posted; and

(2) authorized:

(A) by ordinance in a city or town; or

(B) by order of the Indiana department of transportation.

(c) A person other than the owner or lessee of a motor vehicle displaying a former prisoner of war license plate authorized by this chapter is not entitled to the parking privileges established by this section.

SECTION 3. IC 9-18-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A person qualifying under section 1 of this chapter may not be:

(1) charged ~~the following:~~ (†) a fee for parking in a metered space; **or**

(2) **assessed** a penalty for parking in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a motor vehicle in ~~places where parking is not allowed at any~~ **a parking place during a time when parking in the space is prohibited if** the prohibition is:

(1) posted; and

(2) authorized:

(A) by ordinances in cities and towns; or

(B) by order of the Indiana department of transportation.

(c) A person other than the owner of the motor vehicle displaying a disabled veteran license plate authorized by this chapter is not entitled to the parking privileges authorized by this section.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-102.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 102.3. "Metered space", for purposes of IC 9-18-17 and IC 9-18-18, means a public parking space at which parking is regulated by:**

- (1) a parking meter; or
- (2) an official traffic control device that imposes a maximum parking time for the public parking space.

The term does not include parking spaces or areas regulated under IC 9-21-18."

Page 1, delete lines 10 through 14, begin a new line block indented and insert:

"permitted.

(b) This section does not authorize parking of a motor vehicle in a parking place during a time when parking in the space is prohibited if the prohibition is:

- (1) posted; and
- (2) authorized:
 - (A) by ordinance in a city or town; or
 - (B) by order of the Indiana department of transportation."

Page 2, after line 1, begin a new paragraph and insert:

"SECTION 3. IC 9-18-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A person qualifying under section 1 of this chapter may not be:

- (1) charged ~~the following:~~ ~~(1)~~ a fee for parking in a metered space; or
- (2) **assessed** a penalty for parking in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a motor vehicle in places where parking is not allowed at any a parking place during a time when **parking in the space is prohibited if** the prohibition is:

- (1) posted; and
- (2) authorized:
 - (A) by ordinances in cities and towns; or
 - (B) by order of the Indiana department of transportation.

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(c) A person other than the owner of the motor vehicle displaying a disabled veteran license plate authorized by this chapter is not entitled to the parking privileges authorized by this section."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1258 as introduced.)

SMITH V, Chair

Committee Vote: yeas 8, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill No. 1258, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1258 as printed February 6, 2009.)

LAWSON C, Chairperson

Committee Vote: Yeas 10, Nays 0.

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